

SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – July 17, 2009
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:08 a.m. and adjourned at 10:06 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day, Pallinger, Riess, Woods

Commissioners Absent: Norby

Advisors Present: Sinsay (DPW); Taylor (OCC)

Staff Present: Chan, Ehsan, Gibson, Giffen, Grunow, Hughes, Murphy, Ramaiya, Slovick, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of June 19, 2009

Action: Riess - Pallinger

Approve the Minutes of June 19, 2009.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

There were no speakers.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Requests for Continuance

F. Formation of Consent Calendar: Items 2, 4, 5, 6, 7 and 8

GPA 09-004, Agenda Item 1:

1. Public Facilities Element, General Plan Amendment (GPA) 09-004, County-Wide

Minor amendments are being proposed to certain implementation measures within the Public Facilities Element of the County's General Plan to reflect long-standing implementation practices related to fire and sheriff review of development projects.

Staff Presentation: Murphy

Proponents: 1; **Opponents:** 5

Discussion:

Staff's proposed amendments to a few implementation measures in the Public Facilities Element and the County's General Plan are minor, but recommended to ensure that both documents reflect long-standing practices pertaining to emergency service providers' review of land development projects. Staff is also proposing clarifications that will allow more flexibility in identifying possible funding solutions for enforcement services. The amendments are a result of the numerous questions that arose following the 2007 wildfires. Much more attention is being focused on project compliance with numerous fire-related regulations and policies, most notably dead-end roads. Questions are also increasingly being raised regarding who has final say on mitigation and project conditions related to fire regulations and policies. Staff has worked with fire district representatives on revisions to the 2009 Consolidated Fire Code, and believes this is also a good time to make the same changes to the County's General Plan.

Staff reviews the application submittal process, during which the application is routed to various groups, agencies and service districts for review and comment. This is done in an effort to possibly gain a consensus on improvement requirements, mitigation, conditions of approval, etc. A report is then prepared for consideration at public hearings, and the Planning Commission or the Board of Supervisors determine whether or not to approve the proposed project. The revisions contained in today's Staff Report merely clarify that - as always - the Planning Commission and Board of Supervisors make the final determination on land-development projects.

GPA 09-004, Agenda Item 1:

Staff explains that there are many provisions in State law that give fire districts authority to adopt their own ordinances and regulations, as it does the counties. The State also gives the counties and their agencies authority to regulate and approve or deny land use projects. It must be remembered that when projects are referred to fire agencies/districts for input, those comments or recommendations are not mandates on County decision-makers; they are recommendations on fire protection requirements and the County will decide how to respond, including whether or not to approve a project without honoring the request of the fire district. Staff works closely with the fire districts and gives their input a great deal of weight. The districts recommendations are substantive sources of information, but nothing obligates the decision makers to follow them. It is also noted that neither Staff nor the Planning Commissioners can recall any instance wherein Staff disagreed with a fire district's recommendations.

Many of today's audience members who voice opposition to Staff's proposed amendments remain convinced that the amendments will dilute the fire districts' authority, and cannot be persuaded otherwise. Commissioner Day reminds the meeting attendees that there have been many instances wherein developers and fire district representatives believed Staff was overly-restrictive in requirements for fire evacuation. Chairman Woods again assures the audience members that Staff's recommended revisions result in no changes to current practices.

Action: Day - Brooks

Recommend that the Board of Supervisors:

Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15061(b)(3) of the State CEQA Guidelines; and

Adopt the Resolution entitled "General Plan Amendment (GPA) 09-004", which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with State law and the County General Plan.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

TM 5443, Agenda Item 2:**2. York Drive, Tentative Map (TM) 5443, North County Metropolitan Sub-regional Plan Area**

Proposed five-lot subdivision of a 2.77-acre parcel. The proposed lots range in size from 0.51 to 0.83 gross acres. The project site is located at 1505 York Drive in the North County Metropolitan Subregional Plan Area. The proposed lot sizes are consistent with the existing RR.2 zoning. The project site contains one single-family residence, which will be retained. An existing onsite garage will be demolished. Access to the project site will be provided by a private road connecting to York Drive. The project will be served by sewer and imported water from the Vista Irrigation District. Proposed earthwork will consist of 3,300 cubic yards of cut and fill. Also proposed are various offsite road improvements.

Staff Presentation: Hughes

Proponents: 2; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Pallinger

Adopt the Resolution approving TM 5443, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

TM 5537, Agenda Item 3:

3. "F" Street Subdivision, Tentative Map (TM) 5537, Ramona Community Plan Area

Proposed Tentative Map to allow subdivision of 2.06 acres into 10 residential lots. The property is subject to the RS7, Single-Family Residential Use Regulations, which requires minimum parcel sizes of 6,000 square feet. The project site is located at the corner of Third and "F" in the Ramona Community Plan Area, and access to the proposed lots will be from a proposed private road at "F" Street.

Staff Presentation: Slovick

Proponents: 1; **Opponents:** 0

Discussion:

Commissioner Beck believes the proposed 10' wide straight trail could be more creatively designed. Staff explains that input on trail characteristics and alignment is sought from Department of Parks and Recreation Staff whenever an applicant is required to provide a trail. Staff further explains that right-of-way dictates the trail alignments, and informs the Planning Commission that Parks and Recreation Staff are currently working on more detailed trail standards that will address the issues Commissioner Beck raised regarding flexibility in design.

Action: Beck - Day

Adopt the Resolution approving TM 5537, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

TM 5401RPL³, Agenda Item 4:

4. Kawano, Tentative Map (TM) 5401RPL³, North County Metropolitan Subregional Plan Area

Proposed subdivision of 10.51 acres into 8 residential lots measuring 0.69 to 1.73 acres in size. Access to the project site, located at 1050 Ora Avo Drive in the North County Metropolitan Subregional Plan Area, will be via a private access road off Buena Creek Road. Sewer service will be provided by the Buena Vista Sanitation District, and water will be provided by the Vista Irrigation District.

Staff Presentation: Taylor

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Pallinger

Adopt the Resolution approving TM 5401RPL³, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

P04-030, Agenda Item 5:

5. Heller's Bend Wireless Telecommunications Facility, Major Use Permit P04-030, Fallbrook Community Plan Area

Requested Major Use Permit which will allow the construction and operation of an unmanned wireless telecommunications facility at 4019 South Mission Road in Fallbrook. The facility will include a 20' tall Monopalm onto which 12 antennas will be mounted, and associated equipment.

Staff Presentation: Chan

Proponents: 1; Opponents: 0

This Item is approved on consent.

Action: Riess - Pallinger

Grant Major Use Permit P04-030, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, the Noise Ordinance and State Law.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

P08-012, Agenda Item 6:**6. Sutherland Drive Wireless Telecommunications Facility, Major Use Permit P08-012, Ramona Community Plan Area**

Proposed Major Use Permit which will allow the construction and operation of an unmanned wireless telecommunication facility located at 24709 Sutherland Drive in the Ramona Community Plan Area. The facility includes a 40' tall mono-broadleaf onto which will be mounted 12 panel antennas. Associated equipment will consist of a back-up generator, a prefabricated equipment shelter, AC units, and Purcell cabinet that would be enclosed by an 8' tall concrete masonry unity wall. Additional landscaping, including Engelmann oak and California lilac, will be planted for more screening. The proposed trenching route will be located within the existing access road. The project will occupy approximately 810 square feet of the 15-acre parcel.

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Pallinger

Grant Major Use Permit P08-012, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, the Noise Ordinance and State Law.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

P08-027, Agenda Item 7:

7. Clody Wireless Telecommunications Facility, Major Use Permit P08-027, Lakeside Community Plan Area

Proposed Major Use Permit which will allow the construction and operation of an unmanned wireless telecommunication facility located at 16922 Rio Maria Road in the Lakeside Community Plan Area. The facility will include a 35' tall faux water tank, onto which 12 panel antennas will be mounted. Associated equipment will consist of a remote radio unit, telco panel, power panel, GPS antenna, and radio and power cabinets. This equipment will be placed underneath the faux water tank and enclosed by a concrete masonry unit wall. Proposed trenching will be located within an existing road.

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Riess - Pallinger

Grant Major Use Permit P08-027, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, the Noise Ordinance and State Law.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

P06-038, Agenda Item 8:

8. Jamacha-Hillside Water Tank Wireless Telecommunications Facility, Major Use Permit P06-038, Valle de Oro Community Plan Area

Proposed Major Use Permit which will allow the construction and operation of an unmanned wireless telecommunication facility. The facility will be located on a private driveway at Wiegthorst Way and Fury Lane. The proposed facility includes 12 panel antennas that will be mounted to an existing water tank. Associated equipment will consist of four self-contained base transceiver station outdoor equipment cabinets, one electric meter panel, and one telephone interface. The outdoor equipment will be enclosed on three sides with a 9' tall dark-tan slump-block wall.

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.*

Action: Riess - Pallinger

Grant Major Use Permit P06-038, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance, the Noise Ordinance and State Law.

Ayes:	6 -	Beck, Brooks, Day, Pallinger, Riess, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	1 -	Norby

***Note:** This Item is reconsidered following the late submittal of a Speaker Slip from an audience member opposed to the project due to concerns about access.

Action: Day - Beck

Reconsider the Planning Commission's previous actions on Major Use Permit P06-038.

P06-038, Agenda Item 8:

Discussion of the Action:

Commissioner Riess is opposed to reconsideration of the Planning Commission's previous action. He informs the Planning Commission that newer or supplemental utility service providers may use any utility easement previously granted to public utility providers, so there is no basis for the project opponent's complaint. Commissioner Pallinger concurs with Commissioner Riess.

Ayes: 4 - Beck, Brooks, Day, Woods
Noes: 2 - Pallinger, Riess
Abstain: 0 - None
Absent: 1 - Norby

Action: Beck - Brooks

Continue reconsideration of Major Use Permit P06-038 to the meeting of August 14, 2009.

Ayes: 6 - Beck, Brooks, Day, Pallinger, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 1 - Norby

Administrative:

G. Report on actions of Planning Commission's Subcommittees:

No reports provided.

H. Results from Board of Supervisors Hearing(s):

- Amendment of sole-source contract for consulting services regarding Corps of Engineers Special Area Management Plan
- Agreement between the San Diego Fire Authority and North County Fire Protection District to provide fire and first-responder medical services to the Orange Grove Power Plant
- Amendment to the County Regulatory Ordinance to extend the expiration of Building Permits and Grading Permits, POD 09-004

I. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

Commissioner Riess volunteers to represent the Planning Commission at the July 22, 2009 Board of Supervisors meeting.

J. Discussion of correspondence received by the Planning Commission:

There was none.

K. Scheduled Meetings:

There are no changes to the current Schedule.

July 31, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 14, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
August 28, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 11, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
September 25, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

Administrative:

October 9, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
October 23, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
November 13, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 4, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room
December 18, 2009	Regular Meeting, 9:00 a.m., DPLU Hearing Room

There being no further business to be considered at this time, the Chairman adjourned the meeting at 10:06 a.m. to 9:00 a.m. on July 31, 2009 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.